



The Implementation of Good Governance in the Era of Caliphate Omar Ibn Abd al-Aziz (61H-101 H/717-720 M)

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Abstract: The discussions of good governance are being widely debatable all over the world. The world has arrived at an agreement that good governance has major influence for human resource development in the society. The debate is currently, going on all sectors of activities such the social, economic, and political imperatives, cultural sources and traditions. These have contribution to supervise and govern societies, how to manage business enterprises. The purpose of this paper is to investigate and to understand the theory of good governance from both a modern and Islamic perspective. Firstly, this paper is aimed to find out what is the good governance in modern term. Secondly, this paper will try to explore and explain the *siyasah shar'iyah* means concerning to good governance on modern societies. Thirdly, explaining and exploring the concept of good governance in the reign of caliph Omar ibn Abd al-Aziz. It already known that within short time he was able to bring the *khilafah* to glorious administration. This paper find that it is believed that the concept of good governance already practised by Caliph Omar ibn Aziz throughout his reign. In addition, there are many successes have been achieved by Omar either in the field of economy, politics and national defense and religious fields where the field may be difficult to achieve today's leaders.

Keywords: Good Governance; Siyasah Shar'iyah; Maqasid Shari'ah; Omar Ibn Abd al Aziz (61H-101 H); Public Policy

Introduction

Good governance was taking place in the community, as the key to the development in the late 1980s. This concept benefited from a fantastic increase and reached its glory days during the 1990s, which focusing on "good performers" that oriented to market-oriented democracy (Debiel et. al., 2011). UNDP (United Nations Development Programme) encourages, more than decades, and promotes good governance in the whole of the world. The effect of it is countries tried to move further ahead for upgrading the quality of the administration of government. Currently, the phrase governance or rule is not an alien to talk about. Even the term corresponding with a new concept that is good -good governance-. The issue good governance becomes important to all of nations related to preserving the quality of rule for the prosperity of the community, nation and international relations (un.org).

However, in Islam, the thought and practice has long existed long years ago which is in line with the *Quran* and the *hadith*. Even though Islam does not put details on all of necessities of human life, but it did not mean to ignore general outlines that *shari'ah* already build. The *shari'ah* principles construct the general policy and the rules to ensure that the human life would be better life and not harmful. The general policy and rules that *shari'ah* build had implemented from beginning of islam itself. Thus, the concept that experienced in Islamic government namely *siyasah shar'iyah*, which it be understood as, in the present term, good governance (Ismail et al., 2008).

At glance, *siyasah shari'ah* basically deals with the relationship between an individual and the state, citizen and government, and society and state. This relationship already has attracted the *ulama* (scholar) to take into account. They have been already works hard to formulate the good governance to build better life in here and hereafter. It can be proved by the number of guidelines books that written by *ulama* in the past. Such as *Al-Ahkam al-Sultaniyyah* by Al-Mawardi (450H), *Ghiyath al-Umam* by al-Imam al-Haramayn (476H), *Siyasah Shari'ah Fi Islah al-Ra'I wa al-ra'yah* by Ibn Taymiah (728H) and also *al-Hisbah Al-Turuq al-Hukmiyyah* by Ibn al-Qayyim (751H), *Tahrir al-Ahkam Fi Tadbir Ahl al-Islam* by Ibn Jama'ah (749H), Books on al-Kharaj by Abu Yusuf (181H), Yahya Ibn Adam (204H), *Al-Amwal* by Abu Ubaydah (224H). In addition, there are many others reputable recent works that appear under this title.

Surprisingly, Naqvi et al. stated that the literature on good governance does not include the contributions of Islam for caring the concept of good governance (Naqvi et al., 2011). Therefore, it is not astonishing if It still hard to find the literature related to Islamic perspective, especially the practise in the past. For example of the studies found is the writing by Ismail et al. (2008; 2011). Therefore, the objective of this study is to explore the concept of governance and good governance from both modern and Islamic perspectives. This section generally, will discuss the general concept of the good governance in both perspectives. Then, for the practicing area, this study will investigate the implementation of good governance in the era of Umar Ibn Abd al Aziz (61H-101 H) -the rest will use word Umar for simplicity- as evidence to prove the existing of Islamic good governance in Islam.

Literature Review

Good Governance in Modern Perspective

The issue of good governance has become trending topic in resolving societal well-being (Graham, et al., 2003). It has become a truism to say that good governance is essential for successful development (Fukadda-parr and Ponzio, 2002). Then a simplest question raise up is what really is in good governance? To begin with, there are various definitions of governance. It can be either broad or narrow definitions.

In broad definitions, governance has a various meanings and perspectives, such as that given by the United Nations Development Programme (UNDP), governance refers to “*the exercise of political, economic and administrative authority to manage a nation's affairs. It is the complex mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights and obligations, and mediate their differences*” (UNDP, 1997). From this definition, we can see that the purpose of governance is for facilitating and making better life the societies. In addition, to make better life the government has to involve in every sector of life.

According to World Bank, governance defined as “*the manner in which power is exercised in the management of a country's economic and social resources*” (Fukadda-parr and Ponzio, 2002). From another perspective, the *Asian Development Bank* (ADB) has defined governance through its contribution towards the economic and political sector. “*governance is*

the manner in which power is exercise in the management of a country's social and economic resources for development" (IFAD 1999). This definition not much differs with the World Bank definition.

Meanwhile in its narrowest definition, it related to corporate governance. Corporate governance is about how an organisation directed and controlled. It is about the structures and processes in place to facilitate and monitor effective management of an organisation, including mechanisms to ensure legal compliance and prevent improper or unlawful behaviour Edwards and Clough, 2005). The OECD (The Organisation for Economic Co-operation and Development), on Edwards and Clough (2005), takes of corporate governance and defines "*it as the full set of relationships among a company's management, its board, its shareholders, and other stakeholders. It provides the structure through which the objectives of the company are set, and the means of attaining those objectives and monitoring performance determined*".

Based on above definition governance has multiple meaning and governance is not synonymous with government at all, it can be applied in wide area such as national, institutional or community. From both definitions, it can be concluded that, governance refers to the relationship between government and its citizens, and then corporate governance concerns the corporation and its components. Governance is not about the end but it about the process (Fukadda-parr and Ponzio, 2002). Governance is a process used by societies or organizations to formulate their important choice, to choose whom they involve in the process and how they take into account (Graham et al., 2003).

What is good governance?

Defining the principles of good governance is not easy task. Kofi Annan (1999), the former secretary general of the United Nations, stated that there are eight items has to do by the government to be a good in governance. They are promoting the rule of law, accepting of minority and opposition groups, transparent political processes, a neutral judiciary, an unbiased police force, a military that is strictly subject to civilian control, a free press and vibrant civil society institutions, as well as meaningful elections. More than all, the goal of good governance is admiration of human rights (UNDP, n.a). However, governance can be good or bad, based on the characteristic or quality values followed, connected, and implanted in it. The United Nations Development Program (UNDP) established a set of principles for good governance. Below is simple explanation that is accordance with that promoted by the UNDP (John et al., 2003; UNDP, 1997).

In addition, world bank, in the 1994 report entitled "Governance: The World Bank's Experience", set out under four different aspects, which provide a template against which its governance work can be assessed namely public-sector management, accountability legal framework for development, and transparency and information. Furthermore, International Development Association (IDA) suggested four major pillars against which governance can judged are stated to be. They are accountability, transparency, the rule of law, and participation. While according to The African Development Bank (AfDB) another attribute to accomplish the desired good governance is accountability, transparency, combating corruption, participation and legal and judicial reforms. In addition, the last is according to The Asian Development Bank (AsDB), good governance can be measured by accountability, participation, predictability, and transparency. All the above elements are interlinked, and mutually supportive and reinforcing (IFAD, 1999).

Table 1: The principles of good governance

| No | Principles | Nine Characteristics |
|----|----------------------|---|
| 1 | Legitimacy and Voice | <p>Participation – all men and women should have a voice in decision-making. Either directly or through legitimate intermediate institutions, that represents their intention. Such broad participation built on freedom of association and speech, as well as capacities to participate constructively.</p> <p>Consensus orientation – good governance mediates differing interests to reach a broad consensus on what is in the best interest of the group and, where possible, on policies and procedures.</p> |
| 2 | Direction | <p>Strategic vision – leaders and the public have a broad and long-term perspective on good governance and human development, along with a sense of what is needed for such development. There is also an understanding of the historical, cultural, and social complexities in which that perspective is grounded.</p> |
| 3 | Performance | <p>Responsiveness – institutions and processes try to serve all stakeholders.</p> <p>Effectiveness and efficiency – processes and institutions produce results that meet needs while making the best use of resources.</p> |
| 4 | Accountability | <p>Accountability – decision-makers in government, the private sector and civil society organizations are accountable to the public, as well as to institutional stakeholders. This accountability differs depending on the organizations and whether the decision is internal or external.</p> <p>Transparency – transparency is built on the free flow of information. Processes, institutions and information are directly accessible to those concerned with them, and enough information is provided to understand and monitor them.</p> |
| 5 | Fairness | <p>Equity – all men and women have opportunities to improve or maintain their wellbeing.</p> <p>Rule of Law – legal frameworks should be fair and enforced impartially, particularly the laws on human rights.</p> |

The Concept of Good Governance in Islam

This section will try to discuss good governance in Islamic perspective. As mention before, what this paper concerns, good governance is relating to how the government manage the societies aim to attain better life in this world. In Islamic perspective, concept of *siyasah syar'iyah* has similar objective and meaning with the concept of good governance.

Actually, the term *siyasah shar'iyah* have used in many purpose. According to Ibn Manzur (1969) in his book “*lisan 'arab*”, there are two words here, namely; *siyasah* and *shar'iyah*. The word *siyasah*, literally derived from the Arabic language “*sasa*”, meaning to arrange, to manage, to rule and politics. The basic purpose of *siyasah* is to arrange, manage, and use political wisdom to achieve certain objectives (Ismail and Ab. Rahman, 2011). Hence when the term is compounded with *shari'ah*, it becomes a *shari'ah* oriented public policies, or government accordance with the *shari'ah* (Kamali, 1989).

The widest meaning of *siyasah shar'iyah* can be found in the work of *fuqaha*. Ismail cited several definitions of *siyasah shar'iyah*. Such as, according to 'Abdul Wahab Khallaf it means to administer general matters for an Islamic state including to promote benefits and protect pupils from any harm in line with Islamic law (Ismail and Ab. Rahman, 2011). While, al-Maqrizi (d. 845H) defines *siyasah shar'iyah* as is to bring out good purposes. However,

according to Fathi Uthman, *siyasah syar'iyah* is a term that refers to the practice of administration and constitutional law, the authority of government, including the *caliph* (ruler), *ahlul-halli wa al-Aqdi* (consultative member), right of the individual, public interest (*maslahah 'ammah*) and others (Ismail and Ab. Rahman, 2011). This definition is in line with the definition by UNDP. Furthermore, Kamali (1989) quoted Ibn Qayyim al Jawziah (d.751 H) words:

“any measure which actually bring people closest to beneficeance (salah), and furthest away from corruption (fasad) partakes in just siyasah even if it has not been approved by the prophet nor regulated by divine revelation. Anyone who says that there is no siyasah shar'iyah where the shari'ah itself is silent is wrong and has misunderstood the companions (shahabah)”.

From these definitions, *siyasah syari'yyah* essentially deals with the correlation between three elements, namely; an individual or a citizen, the state or government, and societies or communities. As point out before, governance, it can be awful or good governance through its implementation and practise. It depends on the characteristic and value that embraced on it. Al Maqrizi divided *al-siyasah* into two categories, namely, “fair or good governance” that must also follow the rule of *syariah* known as *al-siyasah al-shar'iyah* and the second category, which is the opposite of *al-siyasah al-shar'iyah* known as “bad or unfair governance”, or *al-siyasah al-zalimah*) (Ismail and Ab. Rahman, 2011). Ibn Qayyim also divided *siyasah* into two types; unjust *siyasah* (*siyasah zalimah*), which the *shari'ah* forbid it, and just *siyasah* (*siyasah 'adilah*) which look for the cause of justice (Kamali 1989). Therefore, to achieve the goal of just or good *siyasah* there are several characteristic and value have to be injected and planted in the ruling of the government.

The Objectives and the Characteristics of Siyasah Shar'iyah

Essentially, the basic relationship between the three elements, namely the citizen, the government, and the community is indivisible in governing the country well. Each constituent has role to bring the society toward better life. In Islamic perspective, the major aim of *al-siyasah al-shar'iyah* is derived from *al maqasid al shari'ah*. While the broad objective of *al maqasid al shari'ah* is *al-amr bi al-maruf* and *al-nahy 'an al-munkar* as emphasized in one of the *shariah* methodologies *jalb al-masalih* and *dar al-mafasid* it mean to promote benefit (*maslahah*) and abstain destruction/corruption (*al-fasad*). In the Holy Quran, Allah the Almighty stressed that:

“And let there be such a group among you, that they may call towards goodness and command what is just and forbid evil. And the very same attained to their goals (Qur'an 3:104)”.

Moreover, Raysuni (2006) listed that Shatibi divided *maqasid shari'ah* (the lawgiver's higher objectives) into three categories, they are;

- a) Necessities/essentials (*Daruriyat*) are those elements without which the whole structure of the *ummah* (society) will run into chaos. They represent the essence of the Umatic well-being and order. Necessities comprise the preservation of 5 elements, popularly known as *al-daruriyat al-Khams* (The five necessities). According to Ghazali (d.1111) he wrote categorically that the *shari'ah* pursued and preserved five objectives, namely safeguarding their faith (*din*), their human self (*nafs*), their intellect (*'aql*), their posterity (*nasl*) and their wealth (*mal*). Whatever ensures the safeguard of these five serves public interest and is desirable Kamali, 1989). Then al Qarafi added the sixth element, *al-'irdh* (Dignity) for *maqasid shari'ah* (Raysuni, 2006).
- b) Complements (*Hajiyat* contributes to relieving hardship and difficulties and creating ease in the lives of those accountable before the law.

- c) Embellishments (*Tahsiniyat*), these are less important than the two above, however they function is to enhance and complete their fulfilment.

There are some problems in practice like -sometimes is misunderstood and misleading-how to promote benefit and to prevent the corruption. For example, when promoting the benefit, they forget preventing the corruption and vice versa. Ideally, it should be moving together between promoting the benefit and preventing the corruption. As summarized by Omar (2011), below is the summary of how Islamic law undertakes to preserve essential interest, as well as others in two complementary ways, namely promoting and preventing (Raysuni 2006).

Table 2: Six elements regarding to the relationship of promoting benefit and preventing corruption

| No. | Elements | Promoting <i>Maslahah</i> (benefit) | Preventing <i>mafsadah</i> (Corruption) |
|-----|-----------|---|---|
| 1. | Din | To sustain al-Din the Shari'ah has provided fundamentals such as the 5 pillars of Islam | To prevent corruption on Al-Din the Shari'ah has provided ruling against - al- <i>Riddah</i> and ruling for the defense of al-Din by <i>Jihad</i> |
| 2. | Life | Providing the Basic necessities Giving the Freedom | Ruling on <i>Qisas</i> to manslaughter and destroying one's life |
| 3. | Intellect | Emphasis on the pursuit of beneficial knowledge | Ruling against intoxicants and all forms of activities that corrupt the mind. |
| 4. | Wealth | Earnings (trade,etc) Disbursements of <i>Sadaqat</i> (including zakah) | Ruling against theft, robbery, etc. |
| 5. | Lineage | Promotion of marriage and family institution | <i>Hudud</i> on <i>Zina</i> , etc. |
| 6. | Dignity | Promotion of good akhlaq | Rulings against bad akhlaq, eg slandering, etc. |

Furthermore, *shari'ah* is not merely only positive rules to do and do not, but it also includes a set of values. A standard allows people to distinguish right or wrong, good, or bad. The conception of good governance cannot be separate with various sets of good values, because without good values, will not be recorded as a good deed in the eye of the Al-Mighty. Many verses give the guidelines and rules drag in to good governance. The most features in *siyasah shar'iyah* (good governance) are *amanah* (trust), '*adalah* (justice), and *shura* (consultation). The prophet and his companions always sound these three elements (Zein et al., 2008). They are as follows;

First, *amanah* (trust) has revealed to the humankind as a contract between human and god. This relationship has large implication to the individual's relationship among the family, society, state, and government and the humanity. Humankind was attaching to these all both materially and spiritually. To clarify this individual's relations in the midst of society, the Qur'an proclaims the concept of *amanah* as the foundation for establishment of government to govern society under a just socio-political order.

Verily! Allah commands that you should render back the trusts to those, to whom they are due; and that when you judge between men, you judge with justice. Verily, how excellent is the teaching which He (Allah) gives you! Truly, Allah is ever All-Hearer, All-Seer. O

you believe! Obey Allah and obey the messenger (Muhammad pbuh), and those of you (Muslim) who are in authority. (and) if you differ amongst yourselves, refers it to Allah and his messenger, if you believe in Allah and in the last day. That is better and more suitable for final determination. (Qur'an Verse 4: 58-59).

The next is justice. Good governance cannot be separated from justice leaders. In carrying out the trust bestowed to him, a leader must be fair and just. It means, as a leader must give to each member to get their rights and obligations as citizens. And to escort and ensure good governance fulfilled by trust and justice Allah said:

"O ye who believe! Obey Allah, and obey the Messenger, and those charged with authority among you" (4: 59).

This verse also shows the guidance for the believers on leadership and governance of society, when they are differing amongst them on issues of common interest.

Third, the Qur'an emphasizes *shūra* (consultation among members of the community). There are some verses relating to *shura* that show it has played an important role in the issues of governance. Allah has revealed some verses related to these issues such as;

And by the mercy of Allah, you dealt with them gently. And had you been severe and harsh-hearted, they would have broken away from about you; so pass over (their fault), and ask (Allah's) Forgiveness for them; and consult them in the affairs. Then you have taken decision, put your trust in Allah, certainly, Allah's loves those who put their trust (in him). (Qur'an Verse 3: 159)

In another place Allah said:

*And those who answer the call of their lord {i.e. to believe that He is the only One lord (Allah), and to worship none but Him Alone}, and who (conduct) their affairs by **mutual consultation**, and who spend of what we bestowed on them. (Qur'an Verse 42: 38)*

The instruction of this verse is covering all sectors, private and public spheres, the business sector and, of course, the government. As well as women are counterpart partners with men in the *shura*. And also Non-Muslims who are living under Muslim administration is a colleague in the decision-making process, as long as they abide the rules, as a member of the community (Zein et al., 2008).

Implementations *Siyasah Shar'iyah* in the Era Omar Ibn Al Aziz

At glimpse, Omar Ibn Al Aziz, he is not newbie in the government of the Umayyads. Since year 85 H, he began his career by becoming a governor in the *Khunashirah*, a big city after Aleppo in Syria. Due to his successful to carry out the duties as governor, then he was appointed as governor for an advanced all the land of Hejaz which includes two holy cities, Mecca and Medina for six years before being fired unilaterally (Nakib 1985). According to Ibn Sirrin, he was appointed as *khalifah* (the ruler) right after the death of Sulaeman ibn Malik in 99 H (Sallaby, 2006).

Relating to the practice of the concept and principles of *al-siasah al-syar'iyah*, in the new context of what is known as Good governance, Caliphate Omar Ibn al-Aziz has established successful history in his almost three years leadership. When he was appointed as *khalifah* (the leader) his governance was characterized by innovation, reformation, and high accountability. Omar was able to manage and bring *Umayyad* toward a prosperous and wealthy reign. People called him as Omar II, as the fifth *khalifah* after, Abu Bakar, Umar, Usman, Ali and the fifth is Omar bin Abdul Aziz. Therefore in this paper tries to uncover her steps in creating a fair and prosperous reign.

To begin with his duties, In general, there are four things that Omar did relating to the general principles of *siyasah shar'iyah*. The revitalization and upgrading made by Omar are as follows:

a) *Shura* (consultation)

From the beginning become governor, he loves consultation among the *ulama* around him. And one of the first thing that he did after appointed as *khilafah* is reviving the *shura* (consultation). After burying Suleiman bin Abd al-Malik he went to the mosque and climb to the podium and people around him. Then he started to speech as follow;

“Ye people, I have been plighted by this duty without my choice and I have not been consulted about it. I have not asked for it either. The Muslim people too, were not consulted about it. Therefore I will relieve you and take away from your shoulder any burden of having given me your pledge of allegiance. I will leave you now to choose for yourselves your own khalifah”.

Immediately, after hearing the speech they shouted together *“We have chosen you ye emir of the believer, and we have accepted you, and we have been blessed by Allah’s graces through you* (Ibn al-Jauzi, 2001)”.

b) *Amanah* (Trust)

A responsible attitude and maintaining of the trust of the citizens are concerned by Omar. In selecting subordinates Omar always requires two things, that is, those that have the ability to do the task and have well in the religion. One of the policies that he made was related to the property of the Muslims. This policy is not only applied to his people and the governor, but it also applies to him. With a careful manner and kindness, it creates a peaceful life for the community and avoids begging attitude. Moreover, Omar concerned much the citizens, in a short time; rarely find people who are willing to accept charity. Omar bin Usaid said that under *khalifah* Omar, the officers leave the office with a huge treasure to be distributed to the beneficiary, but it was “forced” to return back with the all of the treasure. Being polite and ascetic is what makes the honor of the Muslims to be more importance than all the treasures. Omar has made its citizens become rich (Sallaby, 2007).

c) *‘Adl* (Justice)

In the case of justice, Omar inherit his grandfather character, Omar bin Khattab. For example is associated with *Ahl dzimmi* (non-muslim under islamic state), Omar order to be fair to them and not disturb them or their places of worship (Sallaby, 2007). It will elaborate later under chapter of protecting *dimmis*.

d) *Amar ma’ruf Nahi ‘An Munkar* (promote the benefit and prevent the harm)

The goal of the higher objective is to promote the good and avoid the bad. Omar is not only as government leaders but he also was a scholar who was considered in his time. His religiosity has enormous influence in the renewal and improvement of the wheels of government. It can be seen on his letters, speeches and advices; he always stressed to *amr bi ma'ruf wa nahy 'an munkar* (Sallaby, 2007).

Special feature of his government

The rulers or leaders, who have different kind of abilities, such intellectuality, religiosity, and good political activities, are rarely found combined in one individual. But, it is different when it talking about Omar Ibn Aziz, he was capable of combining all these abilities due to his daily task as caliph (Nadwi, 1978).

His style to govern the administration of state is different with style of his ancestors. The differences actually can be found in every detail of government. Nadwi observed there are three special features of his government style. First, essentially, the foundation of Islamic caliphate rest only on the *Qur'an*, the *sunnah* and the precedents of the companions. Miserably, during his time these foundations had become unsteady. So, as already mentioned above, he renovated

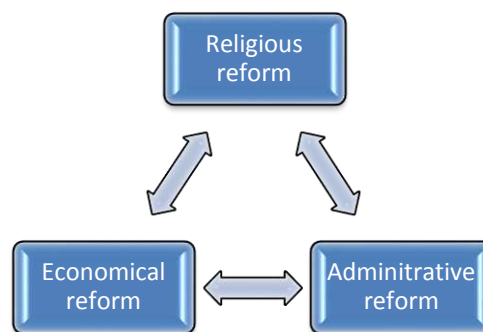
and strengthened them and maintained them until his death. In every occasion he always addressed and reminded his official to turn back to these foundations (Nadwi, 1978).

Second, the most salient feature of his government is reviving the spirit of democracy amongst society. As mentioned early, one of his first acts is consulting to people regarding to the *khilafah*. As his habit to consult, prominent among those who came were 'Urwah b. Zubair, Ubaid Allah b. Utbah, Abu Bakar b. Abd al-Rahman b. Harith etc. Omar said to them, "*I have called you for something which will earn you divine rewards and the status of supporters of the right. I do not wish to do anything without consulting you*" (an-Nadwi, 1978). Another special feature of Omar is the influence of the *Ulama* highly increased. It due to his style, in daily life, always tried to discuss with them and connected with them and kept them close to himself (Nadwi 1978). Among the *ulama* that advise him often are Salim b. Abdillah b. Omar b. Khattab, Hasan Basri, Muhammad b. Ka'ab, Ibin al-Ahtam, etc Ibn al-Jauzi, 2001).

His Reformation and Restoration toward *Siyasah Shar'iyah*

During his time the societies thrived under the Umayyad was a different society from the one visualized by the Qur'an, founded by the Prophet and maintained by the first four caliphs (Nadwi, 1978). As soon as appointed as caliphate, he restructures and reformates the whole system and all kind related to it also changed. There are three broad categories of reconstruction and reformation, during two years and half, which is related to religious sector administration sector and Economic sector.

Figure.1: Omar's reformation and restoration toward *Siyasah Shar'iyah*



Religious reform

Omar rules is different from the previous caliphs and the rulers, which is only concerned with its own interests, prestige, material possessions, and a mere earthly position, regardless of spiritual and religious values. Then Omar fosters the community and constructs the country with religious priority without neglecting the other values (Nakib, 1985). Omar is not only Leader in the administration but also leader in the religious matter. He was known as true *zahid* (ascetic) (Ibn al-Jauzi, 2001). He can combine or balance between the world matter (as caliph) and hereafter. Then no wonder if that the entire basis of his system of government was fear of god, fear of death and fear of questioning on judgment day (Nadwi, 1978).

As mentioned before, one of his renovations is propagating *amar ma'ruf nahi 'an munkar*. In line with it, during his reign, there are two important things that he done namely propagation of Islam and revival of *shari'ah*. Nadvi pointed that there are five actions related to propagation of Islam. First, to propagate Islam, to every officer who engaged in fighting unbelievers he gave direction to do not fight against or force until they have invinted them to Islam. Second, to win people over to Islam, for example he gave thousands of gold coins to a Christian priest. Third, he invited the rulers to embrace Islam. Fourth, he invited the *dimmis* to

Islam and exempts them from *jizyah* if they accept Islam. Fifth, May the most effective cause of spreading of Islam during his reign is when he reverse *Hajaj* oppressive policy of levying *jizyah* on new convert to Islam (Nadwi, 1978). The last two policies have great effect on numbers of *dimmis* who are adapting to Islam (Nadwi, 1978). It reported that there are ten thousand people entered Islam approximately, and four thousand *Dimmis* in khurasan under (Zakariya, 1987). Moreover, besides propagating Islam to the outsider, to reform the muslim behavior and habits, Omar asked all citizens to return to the *Quran* and *Sunnah*. What he planned not just a mere plan, he really implement and realize what he was saying. He knows that Islam is the collection of belief and practice which is the preservation is the duty of the ruler. So, fulfillment of this duty is his purpose of his *khilafah* (Nadwi, 1978). For example, to stop drinking, Omar used these following measures; (1) he sent orders to all government that *dhimmi*s should be permitted to bring liquor in to muslim cities. (2) He destroyed all liquor shops. (3) He also forbid to drink the fermented date evens it non-intoxicant (Nadwi 1978).

Administrative Reform

He knows that the environment of the government is unfriendly. The spirit of justice and truth has gone, where truth and just determined by who have the power (Nakib, 1985). So, he made-up his mind to eliminate all the evil were entrenching themselves in the body politic ever since they had plague it in Mu'awiyah's time (Nadwi, 1978). To do these all kind of actions, he needed of course, the right tools namely officers who would runs the machinery of government with trust and just. So the first thing to do is discharging who are incapable and appointing the right people who are competent on his duty (Zakariya, 1987).

Here some governors discharged by Omar (Zakariya. 1987)

| Name | Province |
|------------------------------|----------|
| Marwan b. al-Malhab | Bashra |
| Sufyan b. Harish al-khaulani | Kufah |
| Makhlad b. Yazid | Khurasan |
| Mu'awiyah b. Yazid | Sijistan |
| Habib b. al-Malhab | Sind |
| Ziyad b. al-Malhab | Yaman |

And here some list of governors appointed by him (Nadwi, 1978).

| Name | Province |
|---|----------|
| Abu Bakr b. Muhammad b. Hazm | Medina |
| Abd Hamid b. Abd al-Rahman. Zaid b. khattab | Kufah |
| 'Adi b. artat | Bashra |
| 'Urwah b. Muhammad b. 'atiyyah al-sa'di | Yaman |
| Jariah b. 'Abd Allah b. al-hakami | khurasan |
| Muhammad b. suwaid al fahri | Africa |

Nadwi (1978) pointed that there are seven rules that Omar used in appointment and discharge of high official. They are as follows; (1) he never appointed his relation. None of his sons was ever given any government position. (2) He never chosen to any person who required that position. (3) He never selected cruel and tyrannous men to any post. (4) One essential qualification he thought-out for appointment to any government post was knowledge of *Qur'an* and *Hadith*. (5) If he found in man anything commendable from the religious or moral point of view, he wants to employ him in the machinery of government. (6) Even though he was so ascetical person, two dirham a day sufficed him, yet he determined his governors' salaries on

munificent scale. (7) Omar always issue directives and order to his governors in every matter and constantly urges them to work properly. This habit, in nature, had encouraging moral effect upon them.

The next action is protecting the right of *dhimmis* (non-muslims) by all means. This action actually fulfill one of eight elements to be good in governance, that the former of secretary general of UN stated, that is accepting of minority and opposition groups (UNDP, n.a). As Nadwi (1978) summed up, there are four rules that Omar used to do to protect right of *dimmis*;

- a) Their lives and property might be protected in the same way as those of muslims.
- b) Their religious building might be protected and no interference might be made with their religion.
- c) No repression might be practised, but rather dispensation might allow, in the charging of *jizyah* on them.
- d) They might enjoy equal rights with the muslims in every matter. One of the policies related to this matter is he giving back the right of the church to the Christians (Nakib, 1985). It showed that Islam also take care the minority.

Finance Reform

In economic, he planned it carefully. He always takes into deep every step to be taken and ensure that what has been planned is all going well (Sallaby, 2007). As known that one of objective of the higher objective is to make human beings may lead happy and secure lives. May be this achievement of this objective, the reign Omar II has never been surpassed in all history (Nadwi, 1978). So, what Omar has been done, in economic side, to achieve these glories?

The first thing that Omar did is to redistribute the national income and wealth fairly. He tries to correct the way of the unfair distribution during the previous caliph. This distribution aims to uphold truth and justice, as well as avoiding and removing the tyranny. He realized that social inequality in society is the result of an unfairly distribution of property. Therefore Omar create new strategies to reduce poverty and tyranny. The steps are as follows (Sallaby, 2007);

- a) Prohibit the officials and the authorities to take advantage of the wealth of society. Relating to this, Omar ever take back property acquired by way of a tyrannical officials and returned to the owner if it is known who the owner or returned to the treasury if it is unknowns.
- b) Omar give more priority to the poor and marginalized society and ensure their adequacy of live either taken from *zakat* funds or other channels.

Next is promoting the economic growth and social welfare for the society Sallaby, 2007). In addition to improve the moral and government administration, Omar also do not forget to think about the macro economy. Omar did various things such as maintaining security, reduce defamation, and restore the rights of others, etc (Sallaby, 2007). It may the last prophecy that the prophet made to Adi b. Haitam was proved during Omar reign. The prophet said; "*Adi are you seen Hijrah? I replied "I have not seen it, but have heard of it". The prophet said, "If you live for some time more, you will see a woman come traveling in a litter, go around the ka'bah and have fear of nobody but God. If you live longer still, you will see Cyrus's treasures conquered. If you live even longer, you will see a man with a handful of gold going around in search of someone who will accept it from him and not finding any such man"*.

The first two of prophecy was happened in Adi b. Haitam's lifetime, while the third is left to the new generation to prove it (Nadwi, 1978). Surprisingly, according to Baihaqi's contention, in *Tabaqat*, there is the statement attributed to Muhammad b. Qais that describe the third prophecy (Nadwi, 1978); "*Omar b Abdul Aziz ordered the distribution of sadaqah among*

deserving people, but after a year I found that the people to whom sadaqah was offered were themselves capable of giving it."

Similarly, one of descent from Zaid b. Khattab reported that in a span of just two and a half years, Umar can gives economic adequacy to its citizen. Then he continued, there is someone comes out with the money at hand to give to the poor but he suffers difficulty to find the poor. Even if he finds the poor who got the *sadaqah* before, it cannot be found again. Hence, the person is returned to take back the money (Sallaby, 2007).

Analyzing of this achievement of economic growth and social welfare, naturally the question will rise up is what, after all, were the Omar's steps to achieve this level of prosperity? To answer it, essentially, there are two general plans on his economic plans;

First is establishing the appropriate growth by returning to wealth to the right owner and create free-economy Sallaby, 2007). Free means here is free as long as in line with *shari'ah* principles. It can be seen on his letter to his official..."*Actually a form of obedience to God that commanded in scripture is to invite others to adopt Islam comprehensively and let others cultivate their property, whether on the land or in the sea, without any disturbance and without prevention....*(Hakam, 1967; Sallaby, 2007)."

Omar also emphasize his officer to do not intervene the market price even the price is high that time. As narrated by Abdurahman b. Syauban, he said; I asked Omar: "*Ye emir of the faithful!! Why the price of stuffs under your government is very expensive, while the stuffs during caliphates committed before you are cheap?*" Omar answered: *In truth, during caliphates before me, they always charged upon Ahl Dimmis (non-muslim) high tax that out of their capability, until they cannot trade their goods or lower the price as low as possible. While, I do not charge the people except what they are capable of, I'm freeing people to sell their own goods as desired.* Then I ask again: *why do not you just set the price??* Omar replied: *we do not have the right to interfere in determining the price, the gods will decide* (Sallaby, 2007)."

In line with the barriers was eliminated from the market, the result is the economic activity growth rapidly. Automatically, the rich people and the *zakat* payer increases due to the economy growth. Then the national income grows and redistribution of income also rises up. Furthermore it will lead the purchasing power of the poorer increase due to the increasing their income through *zakat*. If the purchasing power rises, then the demand of goods and service also will raise up and soon (Sallaby, 2007).

Second is creating new strategy for agriculture sector. According to Sallaby (2007), to increase the agriculture production, Omar did several strategies. They are;

- a) Prohibition of trading of *kharaj* land. One of Omar's reason is *kharaj* land is *fa'i* land, and it is public ownership not individual ownership. Automatically, it will keep the public income resources from agriculture.
- b) Omar also pays attention to the farmer welfare and gives them tax relief where the caliph before him always charges the farmer by high taxation and cost. It not surprisingly if they leave the agriculture field without planting anything on it. Then, it will decrease the production itself. Hence the national income wills decrease. His decision to reduce the injustice tax on *kharaj* land, a glance will reduce on national income, but just the opposite, reducing taxes increased the economic development.
- c) To raise the capacity of production, Omar encourage the society to open new land and to fertilize the existing one. The official ordered to treat the farmer differently and justly based on the fertility of the land. Related to the opening new farmland he instructs his official to give arrangement facilities. Regarding to the *sawafi*¹ land, he opined that it is belong to public ownership should not to sell, yet but should not let it an idle, it must be managed in order to generate income. Therefore it should be given

¹ There some said that sawafi land is a land granted to the officer, but do not unmanaged. Others say the land belongs to those who died but did not have relatives to inherit it.

to farmers to utilize it then the result divided by both government and the farmer. The other way to increase production, he also gives so-called soft non-interest loan to the farmer to manage their farmland.

- d) He also decided that all the *hima*² land is belong to public ownership and it is not for private ownership with the exception of the *naqi*³ land. So everyone can take benefit from it.
- e) And to facilitate the travelers, farmers, traders and others, he built public facilities to facilitate and accelerate their activities.

Those are Omar's achievement during his reign for almost three years only. Looking at his accomplishment as mentioned above, it seems most appropriate to briefly reveal and attach "ten principles" which is formulated by al-Ghazali on *Kitab Nasihat al-Muluk* or *Book of Counsel for Kings*. Ghanzafar and Islahi asserted that each point of these ten principles is supported not only from the Islamic perspective, but it proved with suitable saying of the Prophet (PBUH), and examples from the lives of the Caliphs. Moreover, it complemented by illustrations from the Bible and the Torah as well as from the reigns of numerous non-Islamic rulers, including the Romans, the Greeks, and even the Chinese (Ghanzafar and Islahi, 1997). Al-Ghazali, on his *Book of Counsel for Kings*, believes that to ensure prosperity and development of the state and its subjects, the rulers must follow it. They are as follows;

- a) The ruler should first understand the importance, and the danger, of the authority entrusted to him. In authority, there is great blessing, since he who exercises it righteously obtains unsurpassed happiness; but if any (ruler) fails to do so, he incurs torment surpassed only by the torment of unbelief.
- b) The ruler should be always thirsting to meet devout 'ulama and ask them for advice; and that he should beware of meeting 'ulama with worldly ambitions who might inveigle, flatter and seek to please him in order to gain control over his terrestrial body by stealth and deceit.
- c) The king should understand that he must not be content with personally refraining from injustice, but must discipline his slave-troops, servants, and officers and never tolerate unjust conduct by them; for he will be interrogated not only about his own unjust deeds but also about those of his staff.
- d) The holder of authority should not be dominated by pride; for pride, gives rise to the dominance of anger, and will impel him to revenge. Anger is the evil genius and blight of the intellect.
- e) In every situation which arises, the ruler should figure that he is the subject and that the other person is the holder of authority; and that (he should not sanction of others) anything that he would not sanction for himself.
- f) The ruler should not disregard the attendance of petitioners at his court and should beware of the danger of so doing. As long as the Muslims have grievances, he need not occupy his time with supererogatory religious observances, for redressing the grievances is more meritorious.
- g) The ruler should not form a habit of indulging the passions. For example, even though he might dress more finely or eat more sumptuously, he should be content with all (that he has); for without contentment, just conduct will not be possible.

² *Hima* is a vast field where the common shepherds forbidden to graze cattle there. It is special for zakat payable only who can graze on it.

³ *Naqi* is a place that can be reached two days away from madinah. *Naqi* is a land used for animals grazing that have been paid for zakat, then Omar Ibn Khathab use it as a place for *fa'I* accumulation and preservation of the mujahid's horse

- h) The ruler should make the utmost effort to behave gently and avoid governing harshly; only then, the rulers themselves will be treated gently in the Hereafter.
- i) The ruler should endeavour to keep all the subjects pleased with him; there is the Prophet's (PBUH) saying, "The best of my community are those who love you and whom (you love), and the worst of my community are those who hate you and whom you curse." Even through espionage, the ruler should check and find out if all the subjects are genuinely pleased with him.
- j) The ruler should not give satisfaction to any person if a contravention of God's law would be required to please him; for no harm will come from such a person's displeasure."

Conclusions

In the preceding pages, the author has discussed good governance in theory in modern term and in Islamic perspective. In addition, we also provide in some details the contributions and the practices to the discipline of *siyasah shar'iyah* or in the modern term good governance by Omar Ibn al-Aziz. Practicing it centuries before good governance introduced and started become blooming in the beginning of 90's.

If it looked back to the eight principles of good governance that Kofi Annan stated, it can be seen that Omar did all of these requirements such as promoting the rule of law, accepting of minority and opposition groups, transparent political processes, a neutral judiciary, an unbiased police force, a military that is strictly subject to civilian control, a free press and vibrant civil society institutions and admiration of human rights. From the *siyasah shar'iyah* perspective the foundation of Islamic state as the main values such as justice (*adl*), trust (*amanah*), Consultation (*shura*) and promoting benefit and prevent harm (*Amar ma'ruf nahi munkar*) implemented well by Omar.

Straight away chosen as khalifah, he reshuffles and reforms the whole system of administration and all kind related to it also changed. There are three broad categories of reconstruction and reformation, during two years and half, namely religious sector administration sector and Economic sector. As a result, the people gained economic, social, and political benefits and prosperity with the faith to God.

Needless to say, Omar can implement Islamic values in his administration. This is evidence that the value of Islam is merely not a theory but the values that can be implemented in daily life. Maybe there are some people who claim that it only can be applied on an individual level. But this paper proves that if the Islamic values can be applied in the state level. The question is whether the executive body of government wants to implement it or not? As time goes on, it is not surprised if al-Ghazali formulated ten principles as requirements to achieve the prosperity and the welfare of the country.

There are lots of lessons and wisdoms that the government could acquire from the history of caliphate Omar such his reforms and innovations in governing the state. Therefore, it is good to introduce the concept of *siyasah shar'iyah* widely which is it can be solution for practicing good governance.

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